

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

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SA-21-CV-01002-JKP

VS.

JOHN DOE SUBSCRIBER ASSIGNED
IP ADDRESS 99.162.241.119,

Defendant.

ORDER

Before the Court in the above-styled cause of action is Plaintiff's Ex Parte Application for Extension of Time Within Which to Effectuate Service on John Doe Defendant [#7]. By its motion, Plaintiff asks the Court for entry of an order extending the time for service on John Doe Defendant. The Court will grant the motion.

This is a copyright infringement action against a John Doe Defendant known to Plaintiff only by an IP address, whose true identity is known by its Internet service provider. The record reflects that on November 8, 2021, the Court granted Plaintiff's motion for leave to serve a third-party subpoena on Defendant's ISP to obtain Defendant's identifying information. Plaintiff issued the subpoena on November 12, 2021, and indicates it expects to receive ISP's response by March 28, 2022.

Under the Federal Rules of Civil Procedure, the deadline for service on Defendant is January 13, 2022. *See* Fed. R. Civ. P. 4(m). Plaintiff asks the Court to grant Plaintiff 60 days to serve Defendant from the date it expects to receive the ISP response—May 27, 2022. The Court

finds that no party will be prejudiced by the requested extension and that Plaintiff has demonstrated good cause for relief from the original service deadline.

IT IS THEREFORE ORDERED that Plaintiff's Ex Parte Application for Extension of Time Within Which to Effectuate Service on John Doe Defendant [#7] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff has until **May 27, 2022**, to effectuate service of a summons and Complaint on Defendant.

SIGNED this 18th day of January, 2022.



The image shows a handwritten signature in black ink, appearing to read "Ely S. Chestney". Below the signature, there is a printed name in a standard font.

ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE